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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,904	05/22/2002	Andrew Back	GEN-0334	4387

23413 7590 04/21/2005

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EXAMINER
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KRAMER, JAMES A

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

12/11

<b>Office Action Summary</b>	<b>Application No.</b> 10/063,904	<b>Applicant(s)</b> BACK ET AL.	
	<b>Examiner</b> James A. Kramer	<b>Art Unit</b> 3627	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-6, 8-12, 18-24 and 27-29 are rejected under 35 U.S.C. 102(a) as being anticipated by DeBusk et al.

DeBusk et al. teaches an information management system that consists of a series of software objects which may be configured and linked by the user to build a custom configured health care information management system (column 7; lines 54-58). Further the software objects are such that a framework is provided which allows for the systematic classification of the steps and resources necessary to properly complete a procedural pathway (column 5; lines 35-40). Examiner asserts that this framework and classification represents Applicant's "bill of materials listing a plurality of parts" (preamble of claim 1). In particular, the present invention provides a list of resources (parts) for a care event; this clearly represents a Bill of Materials for that care event. (Further background and support for this assertion can be found on column 4; lines 44-61, column 5; lines 16-25 and Figure 2)

DeBusk et al. further teaches an information system that utilizes the procedural pathway paradigm for the input of data, the organization of data, the retrieval of data and the analysis of data (column 6; lines 26-29). Examiner notes that this represents managing changes in a bill of materials, as required by the preamble of claim 1.

DeBusk et al. further teaches providing an editor, the editor having a first frame and an adjacent second frame; displaying a parts list in the first frame of the editor, the

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parts list forming a subset of the bill of materials and displaying search results from a search for parts in the second frame of the editor (claims 1, 18-19 and 21-23) (column 12; lines 21-44 and Figure 3) (Figures 16-20 and column 14; line 66 through column 15; lines 26).

Examiner notes that the cited sections teach using the tree structure in the 2<sup>nd</sup> frame to search the Library 292. Upon selection of library the list view shows the items and subfolders available under the Library node. Examiner notes that this represents displaying search results from a search for parts in the second frame of the editor. Further, Examiner notes that the frames all represent separate sections and can therefore be described as discrete sections.

DeBusk et al. further teaches wherein providing an editor comprises opening an editor by clicking on an editor button (see column 12; lines 8-20) (Claim 2).

Examiner notes that in this section DeBusk et al. teaches that the Meridian software is run on a Windows operating system, in a similar fashion as Windows Explorer. One of ordinary skill would recognize that this represents the an editor icon (or button) within the Windows operating system to launch (or open) the Meridian software.

DeBusk et al. teaches wherein displaying a parts list comprises providing an expandable list of parts (claim 3) (column 12; lines 21-44 and Figure 3).

DeBusk et al. teaches searching for parts by entering either type or name of a part in a third frame of the editor (claims 4, 22 and 24) and the third frame contains function

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buttons (claims 20 and 22). (see column 15; line 48 through column 16; line 9 and Figures 25-29),

Examiner notes that the “Maintain Container Resource” window 334 represents a third frame of the editor and the “Item Type” text field 340, represents searching for parts by entering a type. Further Examiner notes that the buttons (see 398 and 362 of Figures) represent function buttons.

DeBusk et al. teaches providing search results in an expandable list format in the second frame (claim 5) (Figures 16-20 and the relevant description of those figures on starting on column 14; line 66 and ending on column 15; lines 26).

Examiner once again notes that this section teaches using the tree structure in the 2<sup>nd</sup> frame to search the Library 292. Upon selection of library the list view shows the items and subfolders available under the Library node. Examiner notes that this represents displaying search results from a search for parts in the second frame of the editor.

Debusk et al. teaches adding a part selected from the search results to a selected location in the parts list (claim 6) (column 14; line 64 through column 15; lines 25 and Figures 16-20).

DeBusk et al. teaches removing a part from the parts list by selecting the part to be removed and selecting a remove button (claim 8), and replacing a part selected from the parts list with a part selected from the search results (claim 9). (See column 12; lines

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45-57). Examiner specifically notes the cut 272 shortcut and notes that this represents Applicant's remove button. Further, Examiner notes that combining the cut shortcut button with the add features described above represents replacing a part selected from the parts list with a part selected from the search results.

DeBusk et al. teaches changing an attribute value of a part in the parts list (claim 10) comprising opening a dialog box and changing a quantity, sequence number, feature and option code or feature and option number of a part (claims 11 and 29). (column 13; line 64 through column 14; line 1 and Figures 8-9).

Examiner specifically notes that creation, management and maintenance of various pathways represents changing an attribute. Examiner specifically notes the "Properties" function on the module menu 330, and notes that this allows a user to view and change the properties or attributes of the selected feature by opening the "Maintain Container Resource" window 334. Further, Applicant is able to alter such features as the quantity in the "Maintain Container Resource" window 334.

DeBusk et al. teaches wherein the first frame and the second frame contain scroll bars (claim 12) (see column 12; lines 20-44). Examiner notes that the DeBusk et al. teaches that the Tree View frames operate similar to Windows 95, Window Explorer. Examiner notes that this represents scroll bars. By way of a simple Example Examiner relies on Figure 92, which shows a scroll bar when the nested tree structure gets larger than the size of the frame.

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DeBusk et al. teaches wherein the parts list and the search results are each expandable lists including expand and collapse icons (claim 27) (Figure 3). Examiner points to the "+" icons and the "-" icons next to each of the tree structures and notes that these are expand and collapse icons.

DeBusk et al. teaches wherein each part listed in the parts list and each part listed in the search results includes a selection area for selecting a part for performing an editing function (claim 28) (for example see Figures 4 and 17). Examiner notes that these figures are representations of items being "selected" from the parts list and the search results respectively. Further each items is selected in order to perform various editing functions.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeBusk et al.

DeBusk et al. teaches adding items from the second tree view (second frame, search results) to the first tree view (first frame, parts list) via dropping and dragging the selected item. Further DeBusk et al. teaches prompting for entry of part attributes prior

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to adding the selected item (part) to the first tree view (first frame, parts list). (see column 22; line 35 through column 23; line 42 and Figures 75-80).

DeBusk et al. fails to teach adding the part by selecting an add button. However, DeBusk et al. teaches a tool bar which is provisioned with buttons to allow shortcut implementation of common functions (column 12; lines 52-54, Figure 3). Further, Examiner notes that the farthest button to the right on Figure 3 is shaped like a plus (or addition) sign. It would have been obvious to a person of ordinary skill in the art at the time the invention was made have on the tool bar of DeBusk et al. an add button (i.e. the button with the plus sign) for adding selected parts from the second tree view (second frame, search results) to the first tree view (first frame, parts list). One of ordinary skill in the art would have been motivated to combine the references in order to provide a short cut implementation of the common add function.

Claims 13, 15 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBusk et al.

DeBusk et al. teaches wherein the first, second and third frames are contained in a main screen accessible via the World Wide Web (claim 15) (column 36; lines 20-24). Examiner notes that a networked environment with access to processors through the Internet represents Applicant's "accessible via the World Wide Web."

Further, as described above in regards to claims 4, 20, 22 and 24, DeBusk et al. teaches searching for parts by entering either type or name of a part in a third frame of the editor, and where the third frame contains function buttons. (see column 15; line 48



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through column 16; line 9 and Figures 25-29). Examiner notes that the “Maintain Container Resource” window 334 represents a third frame of the editor and the “Item Type” text field 340, represents searching for parts by entering a type. Further Examiner notes that the buttons (see 398 and 362 of Figures 25-29) represent function buttons. In particular button 398 with a “Q” is the “Query mode” button, which represents a search button. In addition, button 362 is an “Add New Component” button which represents an add button.

DeBusk et al. does not specifically teach a remove button and a replace button. DeBusk et al. does teach additional buttons on the tool bar of Figures 25-29. In fact the button directly to the right of the “Add New Component” button 362 appears to contain an “x”. In addition, DeBusk et al. teaches that cut, copy, paste and are standard in the Windows operating system.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the two buttons next to the “Add New Component” button 362 to include a cut button (the button with the “X”) and a paste shortcut (or replace) button as is old and well known within the Window Operating System (column 12; lines 55-57. One of ordinary skill in the art would have been motivated to modify the reference in order to provide shortcut implementation of common functions (column 12; lines 52-54).

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeBusk et al. in view of “Dummies 101: Windows 95”.

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DeBusk et al. teaches the first tree view and second tree view simultaneously visible in their entirety on one browser screen (e.g. see Figure 3). Further, as previously described DeBusk et al. teaches a “Maintain Containers Resource” window or a third frame available in a second browser window.

DeBusk et al. does not teach first, second and third frames all simultaneously visible in their entirety.

DeBusk et al. teaches that the browser windows all maintain similar functionality as provided in Windows 95 (column 12; lines 20-25). As such, Examiner relies on “Dummies 101: Windows 95” to teach the various functionality of Windows 95. In particular, Examiner references pages 36-37, which teaches window tiling. When a user selects windows tiling, each open window is given equal space on the desktop. In other words, windows tiling allows each open window to be viewed simultaneously in their entirety.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the specific teachings of DeBusk et al. to include windows tiling as taught by “Dummies 101: Windows 95”, such that when a user opens the “Maintain Containers Resource” window (third frame) it is tiled on the desktop next to the first and second tree views (first and second frames), thus allowing all three frames to be simultaneously visible in their entirety,

Claims 16, 17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBusk et al. in view of “Dummies 101: Windows 95”.

DeBusk et al. as described in detail above does not teach selecting a details icon and displaying details of a part adjacent the selected details within the second frame (claims 16 and 26) nor toggling between the search results and the details within the second frame (claim 17).

“Dummies 101: Windows 95” teaches retrieving detailed information about an item by right clicking on a icon next to the item and choosing properties. This is done when a user requires more information about an item that he/she is currently able to view (see page 76, Box at the top “How can I get more information about a disk or drive?”).

In addition, “Dummies 101: Windows 95” teaches to make My Computer use the same window each time you click on a new item, hold down Ctrl while clicking (page 77). Examiner notes that this represents the functionality to open the details in the same window (second frame) and to toggle back and forth between the details and the search results in the same window (second frame).

Examiner further points out once again that the invention of DeBusk et al. maintains the same functionality as Windows 95 (column 12; lines 20-25).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of DeBusk et al. to include the ability to retrieve the details of an item by holding the control key and right clicking on the icon next to the item and clicking properties as taught by “Dummies 101: Windows 95”. One of ordinary skill in the art would have been motivated to modify the references so as to provide a user with more information about the item than is available on the initial screen (see page 76, Box at the top “How can I get more information about a disk or drive?”).

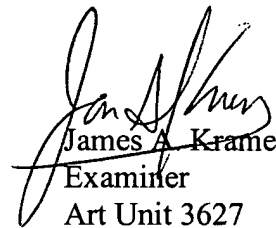
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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (703) 305-5241. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (703) 305-4716. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 4/14/05  
James A. Kramer  
Examiner  
Art Unit 3627

jak